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MICHAEL PRITZKAU

MAY 18 2004

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OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of)
Alvin Kershman) Examiner: Thuy Tran Lien
Serial No: 09/912,219)
) Art Unit: 1761
Filed: July 25, 2001)
) Attorney Docket: SK-3
For: FARINACEOUS SURFACE PRODUCT)
THAT IS TOASTER REHEATABLE)
AND METHOD) May 18, 2004

CERTIFICATE OF FAXING I hereby certify that this correspondence is being
FAXED to the United States Patent and Trademark Office, Washington, D.C. 20231,
on May 18, 2004.

Signed: 

Jay R. Beyer

SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. 1.132

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

I Alvin Kershman, as a named inventor in U.S. Patent Application Serial No. 09/912,219
entitled FARINACEOUS SURFACE PRODUCT THAT IS TOASTER REHEATABLE AND
METHOD (attorney docket no. SK-3) hereby declare as follows.

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SK-3

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In April of the year 2000, numerous tests were run on various coatings placed on grilled cheese sandwiches to determine if any benefits on frozen products would result upon reheating in a toaster. At the time, coated sandwiches were compared to uncoated frozen grilled cheese sandwiches. Unfortunately, by the time the center of the uncoated grilled sandwich was restored to the same temperature that it would normally be straight from the grill, the exterior of the product had burned to a point where the finished result was not edible. This experiment was repeated numerous times with the same results and using various types of breads with the same results. We then began the process of testing sandwiches that would be coated on after grilling to determine if the coatings had any effect on minimizing the burning loss simultaneously expediting the heating process so that the product would simulate a finished grilled cheese sandwich.

The key requirement within all of these experiments was that the finished product was to appear and taste as if it had just come off the grill. Therefore, whatever was used as a coating material to help minimizing burning and expedite heating would not be apparent to the end user. Whether the coating was still in place or not, it could not be seen or interfere with the overall desired organoleptic properties; the same as a product eaten directly from the initial grilled sandwich process.

Various oils were tested, ranging from liquid at almost all temperatures, to those in a semi-solid state (such as shortening) and including materials that are known as Hard Butters which are fats with a high solid fat index and a rapid meltdown, like cocoa butter.

As a result of testing all of these various coatings placed on the finished products prior to freezing, all the additional oils, including shortening, with the exception of the Hard Butter, showed no significant improvement over material that was not coated relative to burning in the toaster vs. reheating and reaching proper internal temperature required to melt the cheese. However, when the Hard Butter was utilized, burning was either minimized or eliminated while simultaneously allowing for the center of the sandwich to heat up to proper temperature. Also, the product appeared as if it was "fresh" off the grill. The results of this last experiment, relative

to Hard Butters, were unexpected relative to the other materials. We did not believe there would be any reason for significantly better results. Also, when initially placed on the sandwich, the Hard Butter was the most opaque material. Therefore, initially it had the least acceptable appearance of all the other products. However, upon reheating in the toaster, it had the best appearance, which was a complete reversal of the initial observations. From this point on we pursued various types of hard butters along with adding other inert ingredients to further improve reconstitution and appearance.

This work was conducted primarily during the last two weeks of April in 2000. The initial hard butter experiment was conducted on April 26, 2000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Alvin Kershman5/17/04
Date